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Toronto, Ontario, Canada M5G 1R7**Tel. (416) 595-1155 • Fax (416) 595-1163****RECEIVED**
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JUL 14 2004

DATE: July 14, 2004

Your Ref: -

Our Ref: 4767-179 LAB

TO:	FAX #	PHONE #
PETITIONS OFFICE United States Patent and Trademark Office	(703) 872-9306	

Total Number of Pages (Including This Page): 10

FROM: Lola A. Bartoszewicz / (416) 595-1155 Ext. 200

COMMENTS:**Re: United States Patent Application No. 08/737446****Applicant: DUPRE, John****Title: Treatment of Diabetes****URGENT**

Attached hereto please find our Petition For Revival of an Application For Patent Abandoned Unintentionally under 37CFR1.137(b).

Please note that this Petition was previously faxed to you on February 16, 2004 and as of yet it still has not been recorded.

Regards.

We are transmitting from a Xerox Telecopier 7033, 7020 or Workcentre Pro 745 – Group 3 which are compatible with Groups 1 and 2 and fully automatic on a 24 hour basis. If any part of this message is received poorly or missing please call the telecopier operator immediately at (416) 595-1155.

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CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)Applicant(s): **DUPRE, John**

Docket No.

4767-179 LAB

Serial No.

08/737,446

Filing Date

January 10, 1997

Examiner

Patrick J. Nolan

Group Art Unit

1644

Invention:

Treatment of Diabetes

I hereby certify that this Petition For Revival of an Application For Patent Abandoned Unintentionally
(Identify type of correspondence)

is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 703-872-9306)

on February 16, 2004
(Date)

Monica Lopez

(Typed or Printed Name of Person Signing Certificate)


(Signature)

Note: Each paper must have its own certificate of mailing.

P18/REV01

**Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b) (Small Entity)****Docket No.
4767-179 LAB**

In Re Application Of:

DUPRE, JohnSerial No.
08/737,446Filing Date
January 10, 1997Examiner
Patrick J. NolanGroup Art Unit
1644

Invention:

Treatment of Diabetes

Attention: Office of Petitions
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee—required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

- 1.
- ☒
- A proposed reply to the above-identified Office Action:

☒ is enclosed. ☐ was filed on _____

The proposed reply is in the form of: _____

- 2.
- ☐
- The issue fee:

☐ is enclosed. ☐ was paid on _____

- 3.
- ☒
- A small entity declaration:

☐ is enclosed. ☒ was filed on January 10, 1997

- 4.
- ☐
- The abandoned application was a:

☐ design application. ☒ utility application. ☐ plant application.

- 5.
- ☐
- A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.

- 6.
- ☒
- Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

**Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b) (Small Entity)****Docket No.
4767-179 LAB**

In Re Application Of:

DUPRE, John**Serial No.****08/737,446****Filing Date****January 10, 1997****Examiner****Patrick J. Nolan****Group Art Unit****1644****Invention:****Treatment of Diabetes****Calculation and Payment of Fees**

Enclosed are the following fees:

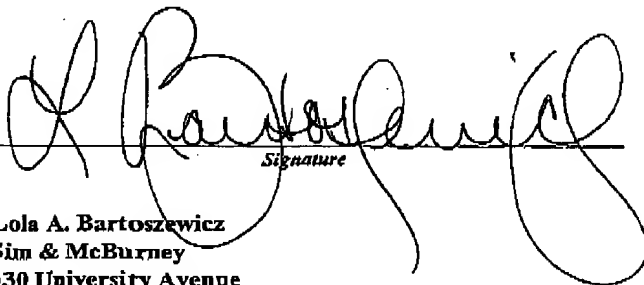
7. ☒ Petition fee under 37 CFR 1.17(m) in the amount of: \$665.00
8. ☐ Fee for amendment in the amount of: _____
9. ☐ Fee for extension of time to reply to Office Action in the amount of: _____
10. ☐ Issue fee in the amount of: _____
11. ☐ Continuing application filing fee in the amount of: _____
12. ☐ Terminal disclaimer fee in the amount of: _____
13. ☐ _____
- Total fees enclosed: \$665.00

The fee of **\$665** is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **19 2253**.

**Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b) (Small Entity)****Docket No.
4767-179 LAB****In Re Application Of:
DUPRE, John****Serial No.
08/737,446****Filing Date
January 10, 1997****Examiner
Patrick J. Nolan****Group Art Unit
1644****Invention:
Treatment of Diabetes****Statement**

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.


Signature
**Lola A. Bartoszewicz
Sim & McBurney
330 University Avenue
6th Floor
Toronto, Ontario
M5G 1R7**

Dated: February 16, 2004

I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*Signature of Person Mailing Correspondence**Typed or Printed Name of Person Mailing Correspondence*

cc: